



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration
Cincinnati District Office
Central Region
6751 Steger Drive
Cincinnati, OH 45237-3097
Telephone: (513) 679-2700
FAX: (513) 679-2771

January 24, 2007

VIA FEDEX

Lyon B. Hutcherson, President
Farmers Livestock Market of Glasgow
3031 New Bowling Green Road
Glasgow, Kentucky 42142

Dear Mr. Hutcherson:

An investigation of your livestock auction operation located at 3031 New Bowling Green Road, Glasgow, Kentucky, conducted by a representative of the U.S. Food and Drug Administration (FDA) on August 4, 2006, confirmed that you caused the introduction of adulterated food into interstate commerce by offering a beef cow for sale for slaughter as food that was adulterated under sections 402(a)(2)(C)(ii) [21 U.S.C. § 342(a)(2)(C)(ii)] of the Federal Food, Drug, and Cosmetic Act (the Act). The introduction of adulterated food into interstate commerce is prohibited by section 301(a) [21 USC 331(a)] of the Act. You can find the Act and its associated regulations on the Internet through links on the FDA's web page at www.fda.gov.

On or about March 1, 2006, you sold a beef cow identified with back tag # 61CY5719 to [REDACTED]. This cow was slaughtered at [REDACTED] on or about March 3, 2006. The United States Department of Agriculture, Food Safety and Inspection Service (USDA/FSIS) analyses of tissues collected from this animal (USDA/FSIS Sample #463882) disclosed the presence of penicillin at 1.48 parts per million (ppm) penicillin in the kidney and 0.19 ppm in the liver of this cow. A tolerance of 0.05 ppm penicillin in the uncooked edible tissues of cattle has been established for residues, Title 21, Code of Federal Regulations, Part 556.510 (21 C.F.R. 556.510). The presence of this drug in these amounts in edible tissues from this cow causes the food to be adulterated under section 402(a)(2)(C)(ii) [21 U.S.C. § 342(a)(2)(C)(ii)] of the Act.


We note that, in the past 14 months USDA/FSIS has reported the finding of illegal residues in two additional dairy cows sold through your auction and offered for slaughter for human food. The first cow was identified with back tag 61CY6929, and was slaughtered on December 16, 2005. This cow had a dihydrostreptomycin residue of 7.25 ppm in kidney. A tolerance of 2.0 ppm in kidney has been established for residues, Title 21, Code of Federal Regulations, Part 556.200 (21 C.F.R. 556.200). The second cow was identified with back tag 61CY5561, and was slaughtered on June 8, 2006. This cow had a sulfadimethoxine residue of 4.22 ppm in liver and 0.45 ppm in muscle. A tolerance of 0.1 ppm in the uncooked edible tissues of cattle has been established for residues, Title 21, Code of Federal Regulations, Part 556.640 (21 C.F.R. 556.640).

The violations listed above are not intended to be an all-inclusive list. It is your responsibility to assure that your operations are in compliance with the law.

You should take prompt action to correct the above violations and to establish procedures whereby such violations do not recur. One way to help prevent future violations is to ask about the medication status of livestock you auction. Enclosed is an example of a docket ticket that contains a statement pertaining to illegal drug residues. We suggest you ask the person bringing the animals to the auction to sign such a statement. We are also enclosing information on the "Ask and Tell" program, which explains other ways to help ensure livestock you auction will not have illegal drug residues.

Please respond within thirty (30) working days of receiving this letter of the specific steps you have taken to correct the noted violations, including an explanation of each step being taken to prevent the recurrence of similar violations. Your response should be sent to Gina M. Brackett, Compliance Officer, Food and Drug Administration, 6751 Steger Drive, Cincinnati, Ohio 45237. If you have any questions concerning the contents of this letter, you may contact Ms. Brackett at (513) 679-2700, extension 167, or you may forward a facsimile to her at (513) 679-2773.

Sincerely,

A handwritten signature in cursive script that reads "Toniette K. Williams".

Toniette K. Williams
Director, Compliance
Cincinnati District

Enclosures